

Benjamin C. Durham
Nevada Bar No. 7684
BENJAMIN DURHAM LAW FIRM
601 S. 10th St.
Las Vegas, Nevada 89101
702.631.6111

Attorney for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	CASE NO: 2:16-CR-100
Plaintiff,)	
)	
vs.)	
)	
JAN ROUVEN FUECHTENER,)	
)	
Defendant.)	
_____)	

STIPULATION TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED AND AGREED, by and between ELHAM ROOHANI, Assistant United States Attorney, counsel for Plaintiff, and BENJAMIN DURHAM and JESS MARCHESE, counsel for Defendant, that the sentencing currently scheduled for March 17, 2017, be vacated and continued for approximately 45 days.

This Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to prepare and complete certain actions related to sentencing mitigation in order to effectively represent Mr. Fuechtener before this Honorable Court at the time of sentencing. The Defendant concurs in this request.

2. All parties agree to the continuance.

3. The additional time requested herein is not sought for purposes of delay.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. This is the first request to continue sentencing filed herein.

DATED this 10th day of March, 2017.

BENJAMIN DURHAM LAW FIRM

DANIEL G. BOGDEN
United States Attorney

/s/ Benjamin Durham

/s/ Elham Roohani

BENJAMIN DURHAM
Nevada Bar No. 7684
601 S. 10th St.
Las Vegas, NV 89101
Attorney for Defendant

ELHAM ROOHANI
Assistant United States Attorney
333 Las Vegas Blvd So. #5000
Las Vegas, Nevada 89101
Attorney for Plaintiff

///

///

///

///

///

Benjamin C. Durham
Nevada Bar No. 7684
BENJAMIN DURHAM LAW FIRM
601 S. 10th St.
Las Vegas, Nevada 89101
702.631.6111

Attorney for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	CASE NO: 2:16-CR-100
Plaintiff,)	
)	
vs.)	
)	
JAN ROUVEN FUECHTENER,)	
)	
Defendant.)	
_____)	

FINDINGS OF FACT

Based on the pending stipulation of counsel, and good cause appearing, the Court finds:

1. Defense counsel needs additional time to prepare and complete certain actions related to sentencing mitigation in order to effectively represent Mr. Fuechtener before this Honorable Court at the time of sentencing. The Defendant concurs in this request.
2. All parties agree to the continuance.
3. The additional time requested herein is not sought for purposes of delay.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. This is the first request to continue sentencing filed herein.

1
2 For all of the above-stated reasons, the ends of justice would best be served by a
3 continuance of the sentencing.
4

5
6 **CONCLUSIONS OF LAW**

7 The ends of justice served by granting said continuance outweigh the best interest of
8 the public, since the failure to grant said continuance would be likely to result in a
9 miscarriage of justice, would deny the parties herein sufficient time and the opportunity
10 within which to be able to effectively and thoroughly prepare for sentencing, taking into
11 account the exercise of due diligence.
12

13 **ORDER**

14 IT IS HEREBY ORDERED that the sentencing currently scheduled for March 17,
15 2017 be continued to _____, 2017, at the hour of _____ .m.
16

17 DATED AND DONE this _____ day of _____, 2017.
18

19 _____
20 UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28